

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Feldman et al.

Serial No.: 09/980,680

Group Art Unit: 1624

File Date: October 31, 2001

Examiner: B. Coleman

For: Short-Acting Benzodiazepines

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☒ Copies of the references are enclosed: on CD
☐ Copies of the references were submitted in parent application Serial No. _____ (37 CFR 1.98(d))
☐ A copy of the International Search Report which issued on International Application No. _____ is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

- A. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

- ☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

- B. ☒ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:
(1) a final action under § 1.113 or
(2) a notice of allowance under § 1.311, whichever occurs first.

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☒ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.


In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR 1.97(d)(ii).
- ☐ The petition fee set forth in § 1.17(i)(1) (\$130.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



Lorie Ann Morgan

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Date: *14 Nov 2003*

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.
PU3318USWSERIAL NO.
09/980,680

APPLICANT: Feldman et al.

FILING Date:
October 31, 2001GROUP
1624

U.S. PATENT DOCUMENTS

Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1	5,324,726	June 28, 1994	Bock et al.			
	2	4,755,508	July 5, 1988	Bock et al.			
	3	5,665,718	Sept. 9, 1997	Godel et al.			

Continue on page _____

FOREIGN PATENT DOCUMENTS

		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	4	WO 91 05549	May 21, 1991	WIPO			
	5	EP 166356	Jan. 2, 1986	Europe			
	6	NL 7012813	Aug. 28, 1970	Netherlands			
	7	DD 40183	Dec. 10, 1959	German			X
	8	EP 727215	Aug. 21, 1996	Europe			Abstract only
	9	GB 2259013	March 3, 1993	Great Britain			
	10	EP 523845	Jan. 20, 1993	Europe			
	11	EP 434364	June 26, 1991	Europe			
	12	EP 434360	June 26, 1991	Europe			
	13	EP 284256	Sept. 28, 1988	Europe			
	14	EP 167919	Jan. 15, 1986	Europe			
	15	EP 176 927	Sept. 8, 1993	Europe			
	16	WO 96 23790	Aug. 8, 1995	WIPO			X
	17	WO 96 20941	July 11, 1996	WIPO			X

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OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)

	18	Gilman, A.G., et al. "Goodman and Gilman's The Pharmacological Basis of Therapeutics." Eighth Edition, Pergamon Press: New York, 1990; pp. 303-304, 346-358.
	19	Hering, W., et al. "CNS Effects of the New Benzodiazepines RO 48-6791 and RO 48-8684 Compared to Midazolam in Young and Elderly Volunteers." Anesthesiology 1996, 189, 85 (Suppl.)
	20	Dingemanse, J. et al. "Pharmacokinetic-Pharmacodynamic Modelling of the EEG Effects of RO 48-6791, a New Short-Acting Benzodiazepine, in Young and Elderly Subjects." Br. J. Anaesth. 1997, 79, pgs. 567-574.
	21	Khan, W.A., et al. "Synthesis of 3-Substituted 1,4-Benzodiazepine-2-Ones." Org. Prep. Proc. Int., 1978, 10, pgs. 105-111.
	22	Hester, J.B., et al. "8-Chloro-1-methyl-6-phenyl-4H-s-triazolo[4,3-a][1,4]benzodiazepines with Substituents at C-4" J. Med. Chem., 1980, 23, 643-647.
	23	Bauer, T.M., et al. "Prolonged Sedation Due to Accumulation of Conjugated Metabolites of Midazolam." Lancet 1995, 346, pgs. 145-147.
	24	Shafer, A., et al. "Complications of Sedation with Midazolam in the Intensive Care Unit and a Comparison with Other Sedative Regimens." Crit. Care Med., 1998, 26, 947-956.

Continue on page _____

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.